

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

2014 MAR 19 PM 5:15

UNITED STATES OF AMERICA,
Plaintiff,

v.

WILFREDO CUBERO-SOTO,
Defendant.

INDICTMENT

CRIMINAL NO. 14-200 (CCC)

VIOLATIONS:

Title 18, United States Code, Sections 1591(a)
and (b)(1) and 2423(a).

FORFEITURE:

Title 18, United States Code, Sections 1594(d)
and (e); and Section 2428.

(10 Counts and 2 Forfeiture Allegations)

THE GRAND JURY CHARGES:

COUNT ONE

Sex Trafficking of Children

(Title 18, United States Code, Sections 1591(a) & (b)(1))

On or about December 10, 2013, in the District of Puerto Rico, and elsewhere within the
jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, in and affecting interstate commerce, did knowingly recruit, entice, harbor,
transport, provide, obtain and maintain, by any means, a 13 year-old female, identified as Jane Doe
#1, knowing that Jane Doe #1 had not attained the age of 18, and that she would be caused to
engage in a commercial sex act; to wit, on or about the date mentioned above, **WILFREDO
CUBERO-SOTO** did make arrangements using his cell phone to pick up Jane Doe #1 in a
four-door beige vehicle from an area near her middle school to take her to the defendant's
apartment located inside a warehouse known as "Almacen Navideño" in Mayaguez, Puerto Rico,
for the purpose of engaging in a commercial sex act, as defined by Title 18, United States Code,
Section 1591(e)(3). All in violation of Title 18, United States Code, Sections 1591(a) & (b)(1).

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COUNT TWO
Sex Trafficking of Children
(Title 18, United States Code, Sections 1591(a) & (b)(1))

On or about February 11, 2014, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, in and affecting interstate commerce, did knowingly recruit, entice, harbor, transport, provide, obtain and maintain, by any means, a 13 year-old female, identified as Jane Doe #1, knowing that Jane Doe #1 had not attained the age of 18, and that she would be caused to engage in a commercial sex act; to wit, on or about the date mentioned above, **WILFREDO CUBERO-SOTO** did make arrangements using his cell phone to pick up Jane Doe #1 from an area near her middle school in his 2002 black Mercedes Benz automobile to take her to the Acuario Motel, located in Cabo Rojo, Puerto Rico, for the purpose of engaging in a commercial sex act, as defined by Title 18, United States Code, Section 1591(e)(3). All in violation of Title 18, United States Code, Sections 1591(a) & (b)(1).

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COUNT THREE

**Transportation of a Minor with Intent to Engage in Prostitution
and Criminal Sexual Activity**
(Title 18, United States Code, Section 2423(a))

On or about December 10, 2013, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, did knowingly transport an individual, who had not attained the age of 18 years, in any commonwealth, territory or possession of the United States, with the intent to engage in prostitution and any sexual activity for which a person could be charged with a criminal offense, to wit, on or about the date mentioned above, the defendant, **WILFREDO CUBERO-SOTO**, did transport, in a four-door beige vehicle, a 13 year-old female minor, identified as “Jane Doe #1,” within the Commonwealth of Puerto Rico, more specifically, from an area near Jane Doe #1’s middle school, in Mayaguez, Puerto Rico, to the defendant’s apartment located inside a warehouse known as “Almacen Navideño” in Mayaguez, Puerto Rico, with the intent that she engage in prostitution and any sexual activity constituting a criminal offense under the laws of the United States, and the Laws of the Commonwealth of Puerto Rico, more specifically, and among other things, Articles 130 and 133 of Puerto Rico Penal Code (2012). All in violation of Title 18, United States Code, Section 2423(a).

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COUNT FOUR
Transportation of a Minor with Intent to Engage in Prostitution
and Criminal Sexual Activity
(Title 18, United States Code, Section 2423(a))

On or about February 11, 2014, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, did knowingly transport an individual, who had not attained the age of 18 years, in any commonwealth, territory or possession of the United States, with the intent to engage in prostitution and any sexual activity for which a person could be charged with a criminal offense, to wit, on or about the date mentioned above, the defendant, **WILFREDO CUBERO-SOTO**, did transport, in his 2002 black Mercedes Benz automobile, a 13 year-old female minor, identified as "Jane Doe #1," within the Commonwealth of Puerto Rico, more specifically, from an area near Jane Doe #1's middle school, located in Mayaguez, Puerto Rico, to the Acuario Motel, located in Cabo Rojo, P.R., with the intent that she engage in prostitution and any sexual activity constituting a criminal offense under the laws of the United States, and the Laws of the Commonwealth of Puerto Rico, more specifically, and among other things, Articles 130 and 133 of Puerto Rico Penal Code (2012). All in violation of Title 18, United States Code, Section 2423(a).

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COUNT FIVE
Sex Trafficking of Children
(Title 18, United States Code, Sections 1591(a) & (b)(1))

In or about the year 2012, the exact date of which is unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, in and affecting interstate commerce, did knowingly recruit, entice, harbor, transport, provide, obtain and maintain, by any means, a 13 year-old female, identified as Jane Doe #2, knowing that Jane Doe #2 had not attained the age of 18, and that she would be caused to engage in a commercial sex act; to wit, in or about the year mentioned above, when Jane Doe #2 was 13 years old, **WILFREDO CUBERO-SOTO** did transport Jane Doe #2 by automobile to the defendant's apartment located inside a warehouse known as "Almacen Navideño" in Mayaguez, Puerto Rico, for the purpose of engaging in a commercial sex act, as defined by Title 18, United States Code, Section 1591(e)(3). All in violation of Title 18, United States Code, Sections 1591(a) & (b)(1).

COUNT SIX
Sex Trafficking of Children
(Title 18, United States Code, Sections 1591(a) & (b)(1))

In or about the year 2012, and approximately one week after the facts alleged in Count Five above took place, the exact date of which is unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

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the defendant herein, in and affecting interstate commerce, did knowingly recruit, entice, harbor, transport, provide, obtain and maintain, by any means, a 13 year-old female, identified as Jane Doe #2, knowing that Jane Doe #2 had not attained the age of 18, and that she would be caused to engage in a commercial sex act; to wit, on or about the date mentioned above, when Jane Doe #2 was 13 years old, **WILFREDO CUBERO-SOTO** did transport Jane Doe #2 by automobile to the defendant's apartment located inside a warehouse known as "Almacen Navideño" in Mayaguez, Puerto Rico, for the purpose of engaging in a commercial sex act, as defined by Title 18, United States Code, Section 1591(e)(3). All in violation of Title 18, United States Code, Sections 1591(a) & (b)(1).

COUNT SEVEN**Sex Trafficking of Children****(Title 18, United States Code, Sections 1591(a) & (b)(1))**

In or about the year 2012, and approximately one week after the facts alleged in Count Six above took place, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, in and affecting interstate commerce, did knowingly recruit, entice, harbor, transport, provide, obtain and maintain, by any means, a 13 year-old female, identified as Jane Doe #2, knowing that Jane Doe #2 had not attained the age of 18, and that she would be caused to engage in a commercial sex act; to wit, on or about the date mentioned above, when Jane Doe #2 was 13 years old, **WILFREDO CUBERO-SOTO** did transport Jane Doe #2 by automobile to the defendant's apartment located inside a warehouse known as "Almacen Navideño" in Mayaguez,

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Puerto Rico, for the purpose of engaging in a commercial sex act, as defined by Title 18, United States Code, Section 1591(e)(3). All in violation of Title 18, United States Code, Sections 1591(a) & (b)(1).

COUNT EIGHT

**Transportation of a Minor with Intent to Engage in Prostitution
and Criminal Sexual Activity**
(Title 18, United States Code, Section 2423(a))

In or about the year 2012, the exact date of which is unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, did knowingly transport an individual, who had not attained the age of 18 years, in any commonwealth, territory or possession of the United States, with the intent to engage in prostitution and any sexual activity for which a person could be charged with a criminal offense, to wit, in or about the year mentioned above, the defendant, **WILFREDO CUBERO-SOTO**, did transport a 13 year-old female minor, identified as "Jane Doe #2," by vehicle, within the Commonwealth of Puerto Rico, to the defendant's apartment located inside a warehouse known as "Almacen Navideño" in Mayaguez, Puerto Rico, with the intent that she engage in prostitution and any sexual activity constituting a criminal offense under the laws of the United States, and the Laws of the Commonwealth of Puerto Rico, more specifically, and among other things, Articles 130 and 133 of Puerto Rico Penal Code (2012). All in violation of Title 18, United States Code, Section 2423(a).

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COUNT NINE
Transportation of a Minor with Intent to Engage in Prostitution
and Criminal Sexual Activity
(Title 18, United States Code, Section 2423(a))

In or about the year 2012, and approximately one week after the facts alleged in Count Eight above took place, the exact date of which is unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, did knowingly transport an individual, who had not attained the age of 18 years, in any commonwealth, territory or possession of the United States, with the intent to engage in prostitution and any sexual activity for which a person could be charged with a criminal offense, to wit, in or about the year mentioned above, the defendant, **WILFREDO CUBERO-SOTO**, did transport a 13 year-old female minor, identified as “Jane Doe #2,” by vehicle, within the Commonwealth of Puerto Rico, to the defendant’s apartment located inside a warehouse known as “Almacen Navideño” in Mayaguez, Puerto Rico, with the intent that she engage in prostitution and any sexual activity constituting a criminal offense under the laws of the United States, and the Laws of the Commonwealth of Puerto Rico, more specifically, and among other things, Articles 130 and 133 of Puerto Rico Penal Code (2012). All in violation of Title 18, United States Code, Section 2423(a).

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COUNT TEN
Transportation of a Minor with Intent to Engage in Prostitution
and Criminal Sexual Activity
(Title 18, United States Code, Section 2423(a))

In or about the year 2012, and approximately one week after the facts alleged in Count Nine above took place, the exact date of which is unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

WILFREDO CUBERO-SOTO,

the defendant herein, did knowingly transport an individual, who had not attained the age of 18 years, in any commonwealth, territory or possession of the United States, with the intent to engage in prostitution and any sexual activity for which a person could be charged with a criminal offense, to wit, in or about the year mentioned above, the defendant, **WILFREDO CUBERO-SOTO**, did transport a 13 year-old female minor, identified as “Jane Doe #2,” by vehicle, within the Commonwealth of Puerto Rico, to the defendant’s apartment located inside a warehouse known as “Almacen Navideño” in Mayaguez, Puerto Rico, with the intent that she engage in prostitution and any sexual activity constituting a criminal offense under the laws of the United States, and the Laws of the Commonwealth of Puerto Rico, more specifically, and among other things, Articles 130 and 133 of Puerto Rico Penal Code (2012). All in violation of Title 18, United States Code, Section 2423(a).

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**FORFEITURE ALLEGATION RELATED TO
SEX TRAFFICKING OF CHILDREN
(Title 18, United States Code, Sections 1594(d) and (e))**

5. The allegations contained in **COUNTS ONE, TWO, FIVE, SIX and SEVEN** of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 1594.

6. Pursuant to Title 18, United States Code, Sections 1594(d) and (e), upon conviction of an offense in violation of Title 18, United States Code, Section 1591,

WILFREDO CUBERO-SOTO,

the defendant herein, shall forfeit to the United States of America any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offense. The property to be forfeited includes, but is not limited to, the following:

- One commercial warehouse known as “**ALMACEN NAVIDEÑO**,” whose physical address is:

**CARRETERA 102 KM 0.4;
MAYAGUEZ, PUERTO RICO 00682**

7. If any of the property described above, as a result of any act or omission of the defendant[s]:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

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- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

**FORFEITURE ALLEGATION RELATED TO TRANSPORTATION OF MINORS
WITH THE INTENT TO ENGAGE IN PROSTITUTION
OR OTHER CRIMINAL SEXUAL ACTIVITY
(Title 18, United States Code, Section 2428)**

1. The allegations contained in **COUNTS THREE, FOUR, EIGHT, NINE** and **TEN** of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2428.

2. Pursuant to Title 18, United States Code, Section 2428, upon conviction of an offense in violation of Title 18, United States Code, Section 2423,

WILFREDO CUBERO-SOTO,

the defendant herein, shall forfeit to the United States of America any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offense. The property to be forfeited includes, but is not limited to, the following:

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- One commercial warehouse known as “**ALMACEN NAVIDEÑO**,” whose physical address is:

**CARRETERA 102 KM 0.4,
MAYAGUEZ, PUERTO RICO 00682**

3. If any of the property described above, as a result of any act or omission of the defendant[s]:

- cannot be located upon the exercise of due diligence;
- has been transferred or sold to, or deposited with, a third party;
- has been placed beyond the jurisdiction of the court;
- has been substantially diminished in value; or
- has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

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March 19, 2014

ROSA EMILIA RODRIGUEZ-VELEZ

United States Attorney



José A. Ruiz

Assistant United States Attorney

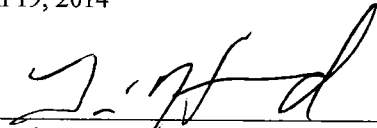
Chief, Criminal Division

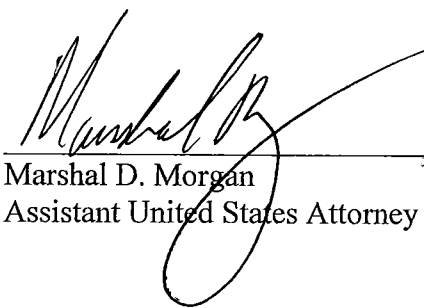
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Timothy Henwood
Assistant United States Attorney
Chief, White Collar and General Crimes Division

Marshal D. Morgan
Assistant United States Attorney